

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

DALE CONRAD McQUISTON,)	
)	
Movant,)	
)	
v.)	Civ. No. 1:24-cv-01162-STA-jay
)	Cr. No. 1:88-cr-10054-JDT
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER DIRECTING CLERK TO CLOSE CASE

Dale Conrad McQuiston, inmate number 11697-076, filed a *pro se* motion to vacate, set aside, or correct his sentence pursuant to 28 USC §2255. He previously filed *Dale Conrad McQuiston v. United States of America*, 2:10-cv-02542-STA-dkv (W.D. Tenn. Sept. 25, 2019). In that matter, McQuiston’s motion pursuant to 28 U.S.C. § 2255 was denied on September 24, 2019, and judgment was subsequently entered.

Because Movant/Defendant must obtain a certification from the Sixth Circuit Court of Appeals before filing a second or successive motion, *see In re Sonshine*, 132 F.3d 1133, 1135 (6th Cir. 1997), the Court ordered the Clerk of Court to transfer the motion to the United States Court of Appeals for the Sixth Circuit for a determination of whether Movant/Defendant could file a second or successive motion to vacate sentence pursuant to 28 U.S.C. § 2255.

On November 5, 2024, the Sixth Circuit denied the application. Accordingly, the Clerk of Court is **DIRECTED** to close the case without entry of judgment.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: November 5, 2024